

63rd LEGISLATURE—REGULAR SESSION

PROPOSED CONSTITUTIONAL AMENDMENTS—LEGISLATURE—ANNUAL SESSIONS—SALARY AND PER DIEM

S. J. R. No. 8

Proposing an amendment to Article III, Sections 5, 24, and 49a, and Article VIII, Section 6, of the Texas Constitution, as amended, to provide for annual regular sessions of the legislature, and to provide an annual salary and per diem for the members of the legislature.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article III, Section 5, of the Texas Constitution, be amended to read as follows:

"Sec. 5. The Legislature shall meet in regular session each year at such time as may be provided by law and at other times when convened by the Governor; provided, however, that the regular session to be held in each odd-numbered year shall meet for a period not to exceed 180 days duration, and that the regular session to be held in each even-numbered year shall meet for a period not to exceed 60 days duration and shall be limited to the consideration of fiscal matters and such emergency matters as may be submitted by the Governor; provided further that the even-numbered-year session may be extended by the Governor for an additional period not to exceed thirty days."

Sec. 2. That Article III, Section 24, of the Texas Constitution, be amended to read as follows:

"Sec. 24. Members of the Legislature shall receive from the Public Treasury an annual salary of not exceeding Fifteen Thousand Dollars (\$15,000) per year and a per diem of not exceeding Eighteen Dollars (\$18) per day for each Regular Session and for each Special Session of the Legislature.

"In addition to the per diem the Members of each House shall be entitled to mileage in going to and returning from the seat of government, which mileage shall not exceed Two Dollars and Fifty Cents (\$2.50) for every twenty-five (25) miles, the distance to be computed by the nearest and most direct route of travel, from a table of distances prepared by the Comptroller to each county seat now or hereafter to be established; no Member to be entitled to mileage for any extra Session that may be called within one (1) day after the adjournment of the Regular or Called Session."

Sec. 3. That Article III, Section 49a, of the Texas Constitution, be amended to read as follows:

"Sec. 49a. It shall be the duty of the Comptroller of Public Accounts in advance of each Regular Session of the Legislature to prepare and submit to the Governor and to the Legislature upon its convening a statement under oath showing fully the financial condition of the State Treasury at the close of the last fiscal period and an estimate of the probable receipts and disbursements for the then current fiscal year. There shall also be contained in said statement an itemized estimate of the anticipated revenue based on the laws then in effect that will be received by and for the State from all sources showing the fund accounts to be credited during the succeeding year and said statement shall contain such other information as may be required by law. Supplemental state-

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ments shall be submitted at any Special Session of the Legislature and at such other times as may be necessary to show probable changes.

"From and after January 1, 1945, save in the case of emergency and imperative public necessity and with a four-fifths vote of the total membership of each House, no appropriation in excess of the cash and anticipated revenue of the funds from which such appropriation is to be made shall be valid. From and after January 1, 1945, no bill containing an appropriation shall be considered as passed or be sent to the Governor for consideration until and unless the Comptroller of Public Accounts endorses his certificate thereon showing that the amount appropriated is within the amount estimated to be available in the affected funds. When the Comptroller finds an appropriation bill exceeds the estimated revenue he shall endorse such finding thereon and return to the House in which same originated. Such information shall be immediately made known to both the House of Representatives and the Senate and the necessary steps shall be taken to bring such appropriation to within the revenue, either by providing additional revenue or reducing the appropriation."

Sec. 4. That Article VIII, Section 6, of the Texas Constitution, be amended to read as follows:

"Sec. 6. No money shall be drawn from the Treasury but in pursuance of specific appropriations made by law; nor shall any appropriation of money be made for a longer term than one year¹."

Sec. 5. This amendment takes effect with the convening of the 64th Legislature.

Sec. 6. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on Tuesday, November 6, 1973, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to provide for annual regular sessions of the legislature; and to provide an annual salary of \$15,000 and per diem for the members of the legislature, effective in January, 1975.

Adopted by the senate on March 19, 1973: Yeas 31, Nays 0; and that the senate adopted S. C. R. No. 109, requesting the return of S. J. R. No. 8 to the senate for further consideration, on May 16, 1973; and that the senate refused to concur in house amendments and requested appointment of Conference Committee on May 17, 1973; May 18, 1973, house granted request of the senate; May 23, 1973, senate adopted Conference Report: Yeas 30, Nays 0; adopted by the house, with amendments, on May 9, 1973: Yeas 103, Nays 34, one present not voting; May 18, 1973, house granted request of the senate for appointment of Conference Committee; May 25, 1973, house adopted Conference Report: Yeas 116, Nays 25.

Filed without signature June 16, 1973.

1. So in enrolled bill.

Rejected at election held on November 6,
1973.